

**REMARKS**

**35 U.S.C. §112, First Paragraph, Rejections**

Claims 1-27 were rejected under 35 U.S.C. §112, first paragraph. The Examiner requested that Applicant explain how IP traffic is mapped to ATM service levels. It is respectfully submitted that the text added from the Garrett and Borden article provides one example of how this might be carried out.

In addition, the Examiner requested that the Applicant explain how IP traffic is directed to a circuit switch. In response, Applicant has amended the claims to substitute the words --circuit switch fabric-- for the words "circuit switch".

On page 15, beginning with the second paragraph, the specification details the process by which a resource manager 202 directs IP traffic mapped to an ATM CBR service level category to a circuit switch fabric (e.g., STM switch fabric).

It should be noted that the present invention is directed at determining whether ATM categorized IP traffic should be directed to, or routed to, a circuit switch or packet switch fabric. The details of how the so-routed traffic is encapsulated or converted is not important to understanding the present invention.

**35 U.S.C. §112, Second Paragraph, Rejections**

In paragraph 4 of the Office Action, the Examiner requests that the Applicant clarify the terms "IP switch". Applicant has amended claims 6 and 17 to point out that IP traffic that has been mapped into an ATM traffic service

category, other than CBR or rt-VBR, is routed to an -- IP switch fabric --, not an "IP switch".

The Examiner also requests that Applicant explain how to determine the "peak to sustained packet rate ratio" of claim 11. As described on page 19 of the present application, this ratio is used to determine whether rt-VBR service level traffic is to be treated like CBR service level traffic. In other words, it is used to determine whether rt-VBR service level traffic is to be sent to a circuit switch fabric or a packet switch fabric. The specification goes on to discuss the fact that the resource manager 202 computes this ratio and compares this ratio to a threshold. How the ratio or threshold is computed (which may vary) is not needed for an understanding of the present invention. Instead, the present invention is directed at a controller (resource manager 202) that uses such a ratio or threshold, however it may be computed, to make a determination as to where to send IP traffic classified by ATM service levels.

Similarly, the Examiner requests that Applicant explain how to "set up" the above-mentioned ratio such that it is comparable to the threshold and how to determine the threshold itself. Again, the generation of the ratios or thresholds is not needed for an understanding of the present invention. What is required by claim 24 is a controller which makes use of a sustained packet ratio and a threshold value in order to determine where to route IP traffic that has been classified into ATM service categories.

Applicant hopes the above discussion has aided the Examiner.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

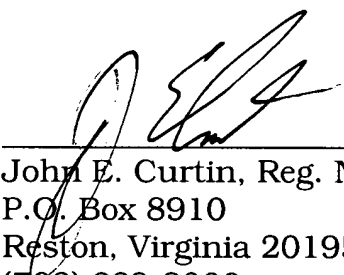
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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